## HIGHLY INTERESTING FROM ALBANY.

THE LIQUOR BILL.

Veto Message of Governor Seymour.

EXCITEMENT IN THE LEGISLATURE.

The Measure Finally Killed in the Senate.

UNUSUALLY SPIRITED DEBATE.

&c., &c., &c.

The Veto Message of the Govern

EXECUTIVE CHAMBER, ALBANY, March 31, 1854. }

Hon. Sanford E. Church, President of the Senate:

As I do not approve of the bill entitled "An Act for the Suppression of Intemperance," I return it to the Senate, in pursuance of the directions of the constitution of the State with my oblections to its bacomics. of this State, with my objections to its becoming a law.

I have given to the bill the respectful consideration

due to the importance of the subject and the deliberate action of the two branches of the Legislature. I cannot sign the bill, for I believe its provisions are calculated to jure the cause of temperance and impair the welfare

Legislature, I took occasion, in my annual message, to suggest, that "it was surrounded by difficulties and emrrassments, and unless legislation in regard to it was judicious, it would increase the evils it was so important to prevent; that any measures adopted should be framed so as not to conflict with well settled principles of legis-

lation, or with the rights of our citizens. The bill is unconstitutional, unjust, and oppressive in its character, and subversive of well settled principles of legislation. The people, irrespective of their different ews of the use of intoxicating liquors, when advised of its provisions, will regard them with surprise and alarm.

sale of strong or spirituous liquors or wines, in quantities less than five gallons, is now prohibited, and Tenders are liable to be fined or imprisoned.

To this general rule there are two exceptions: The supervisors and justices of the peace in each town, acting missioners of excise, are authorized to license persons of good moral character to keep taverns where intoxicating liquors can be sold, provided they have accommodations to entertain travellers; and a tavern is absolutely necessary at the place where the applicant proposes to keep the same. The Commissioners are also authorized to grant licences to grocers to sell strong and spirituous liquors and wines, but not to be drank in their shops, houses, outhouses, yards or gardens. The statute further imposes restraints upon the sale of intoxicating liquors by licensed tavern-keepers or grocers, to appendices or minors. Violations of the terms of these licences are punishable by fine or imprisonent. The evils which spring from the use of liquors in shops and drinking houses, are mainly owing to the fact that the present laws are not enforced. In addition to this, the excise of towns, and the citizens of each locality can prevent the issuing of all licenses, by electing those who are opposed to granting them.

The people of this State are divided in opinion with regard to the propriety of using intoxicating drinks. One portion desire the passage of a law which will prohibit their sale, while another, embracing those engaged in various pursuits and professions, regard their use as proper, although they deplore the evils of intemperance. These differences of opinion have given rise to earnest discussions, and have led to the formation of societies and associations to check intemperance and to persuade all to abstain from the use of intoxicating liquors.

The bill which I return proposes legislative interferenc. It is designed to compel abstinence, by severe fines and associations to check intemperance and to persuade all to abstain from the use of intoxicating liquors.

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The hill which I return proposes toxicating liquors can be sold, provided they have accom-

declaration is contained in the Constitution of the United States.

This provision of the Constitution of the United States, and declaration in the Bill of Rights, were designed to prevent the issuing of "general warrants." They were suggested by the controversy in Great Britisin growing out of the resistance of the friends of civil and constitutional liberty to the exercise of pretended prerogatives of the crown. This controversy called forth able expositions of the rights of citizens, and excited profound interest in Great Britain and its dependencies.

The principles advocated by those who were the bold and eloquent defenders of the colonists were impressed upon the minds of the men who framed our political institutions.

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The decision against "general warrants" by Lord Camden, whose memory will ever be held in reverence by the American people, for his defence of these rights, and for his great abilities as a judge and stateman, was received with the utmost enthusiasm by the friends of constitutional liberty. He declared "that to enter a man's house under cover of a "general warrant," in order to produce vidence, was worse than the Spanish Inquisition—a law under which no lenglishman would wish to live an hour. It was a most daring attack upon the liberty of the subject."

The warrant to be issued under the ninth section of this bill is obnoxious to all the objections urged against "general warrant," and conflicts directly with the declaration in the Bill of Rights. It is not directed against any person, and, therefore, is a nameless warrant. It authorizes officers, in the observed of the owner of the premises, or of the property to be seized, to search wherever malice or their suspicions may lead them. It does not describe the thing to be seized by quantity, quality or marks. The complaint may only charge that certain described liquors are kept contrary to law; but the warrant must command the officer forthwith diligently to search the place designated, "and to seize all the intoxicating liquors found therein." These liquors may be entirely different in their character, and may be owned by a great number of persons under various circumstances. In case complaint is made because one cask of ignor in a warehouse, canal boat, or other vessel, was, in the belief of the complainant, designed for sale, by a person not authorized, the officers would be compelled to seize all other ignors it complaints in made because one cask of ignor in a warehouse, can be an expen

32d section of this bill, and which is not contained in the law of Massachusetts: the law of Massachusetts:

Sec. 32. Upon the trial of any complaint or civil action commenced under any provision of this act, proof of the sate of liquor shall be sufficient to switain an averment of an unlawful sale. Whenever an unlawful sale is alloged, and a dolivery proved, it shall not be necessary to prove a payment, but such delivery shall be sufficient ovidence of

and an inlawful sale. Whenever an unlawful sale is alleged, and a dolivery proved, it shall not be necessary to prove a payment, but such delivery shall be amfelient evidaces of sale.

In other words, when an unlawful sale of liquors is alleged, it is sufficient to convict the accused of a missioneanor to subject him to fine and unprisonment, and to forfeiture of his property, merely to show a delivery of liquor an act legal, and, under some circumstances, commendable. Reversing every principle of evidence and justice, proof that a citisen has given and delivered to another any intoxicating liquors, although it may be for mechanical or medicinal purposes, by a monstrous legal inference convicts him of a crime. Thus, without proof of guilt, he is condemned, unless he can prove his innocence. What security have our citisens against the invasion of their homes, by officers (who are directed, without regard to the presence or absence of their occupants, diligently to search their dwellings.) when the proof of an innocent act is sufficient to convict of an offence, and to place his home upon the level of the shop or warehouse? This act is highly penal, and the searches which it directs are designed to selze property, and to procure evidence of a violation or intended violation of the law.

The domicil of the citizen has heretofore been considered so sacred, and has been so fortified and defended by the principles of the common law, that it is familiarly spoken of as his castle; it cannot legally be searched, although the occupant is charged with murder or treason. Under the most tyrannical sovereigns of England this principle has been preserved by the Courts. The only deviation is in cases of searches for a tolen property, which are allowed upon the ground that they are designed to restore it to its rightful owners. Even this exception has been regretted by eminent jurists, and its propriety doubted.

What cannot legally be done to datect the darkest and most dangerous crimes, is directed by this bill, to procure ev

ed law to get possession of property with fraudulent designs.

After this sweeping seizure, if the owners are unknown, or cannot be found, and their places of residence are not known to the officer, he is directed to deliver a notice to any person of mature age, residing in the place where the seizure is made, of if none such can be found, by posting the notice upon the outside of the premises, and in two conspicuous places in the city or town.

Section 13 directs that the liquors shall be stored for two weeks after service and posting notices; after which, upon due proof of such service and posting, such liquors shall be adjudged forfeited by the magistrate, unless they shall have been claimed.

upon due proof of such service and posting, such liquors shall be adjudged forfeited by the magistrate, unless they shall have been claimed.

Section 17 of the bill directs that the magistrate, when the property is forfeited, shall issue a warrant commanding that the liquor so seized and forfeited be destroyed.

The productions of the citizens of this and other States are sent from all parts of this great country, to be stored in our commercial towns. The summary measures against intoxicating liquors, authorized by this act, would open a door to gross frauds and malicious proceedings. Two weeks' notice by posting would be entirely insufficient to non-resident owners. In the case of liquors scired because they are in the same vessel or warehouse with others, and forfeited and destroyed because the owners did not know of their seizure, it cannot be said that such owners have been deprived of their property "by due process of law." No complaint has ever been made with regard to it, nor is it within the contemplation of the complaint on which the warrant issues, and which "sweeps it into the net of the law;" there may be no charge, pretext or belief that it is designed for any unlawful object; no inquiry or investigation is to be made by any officer to ascertain the facts of the case. The property is seized, and because it found on the same premises with other liquors intended for unlawful sale, it is forfeited and destroyed for this imputed offence.

Hut if the owner fortunately receives notice, his con-

for unlawful sale, it is forfeited and destroyed for this imputed offence.

But if the owner fortunately receives notice, his constitutional rights are not protected. The Supreme Court of this State has decided that the terms "due process of law," used in the constitution, "cannot mean less than a presecution or suit instituted and conducted according to the prescribed forms and solemnities for assertaining guilt or determining the title to property. It will be seen that the same measure of protection against legislative encroschments is extended to life, liberty and property; and if the latter can be taken without forensic trial and judament, there is no security for the others."

The rights of preperty cannot be destroyed by mere legistation—

Section 14 provides that "any person may, at any time be-Section 14 provides that "any person may, at any time be-fore forfoliume, present a claim to the property seized," and the "manistrate shall hold a court for the trial of such claim, and shall bear the proofs and allegations offered in support of and against the same, and unless the claimant that the same and unless the court

support of the against in same, and mess uncessions stabilized by positive proof to the satisfaction of the course here in injected under the law of the United States, and in accordance therewith, and is contained in the original packages in which the same was imported, and in quantities not less than the laws of the United States prescribe, and that the same was kept by him for lawful purposes, or that the same was kept by him for lawful purposes, or that the same was kept by him for lawful purposes, or that the same was kept by him for lawful purposes, or that the same was kept by him for lawful purposes, or that the same was kept by him for lawful purposes, or the costs; and in default of payment thereof, execution shall be issued therefor, against all principles of evidence, justice or propriety, it assumes that the law has been violated, that the owner is guilty, and his property lable to confiscation, unless he can "show by positive proof that the same was kept for lawful purposes." This makes it a question of intent, of which it is impossible to give "positive proof."

There is nothing in the act requiring the complainant to appear against the owner so that he may be informed of the true nature and cause of the accusation; in trail, no complaint may have been made against him or his property. It is not required that he shall be confronted with the witnesses against him; his guilt is assumed. True, it is provided that the magistrate or jury shall hear the proofs and allegations offered in support of and against the claimant, and that witnesses may be compelled to attend; but until the claimant has first shown by positive proof his ownership of the property, its legality, and that he kept if or lawful purposes, the law requires no allegations, and no proofs against him; the case is made complete by the original experte onths, upon which his property was seized by warrant. Reversing the order of every other known proceeding, because to the pare the objections I shall urge against the bill apply provisions w

swits, not growing out of this law, but arising out of the ordinary transactions of life. Proceedings so tyramical and unusual would tend to strife, bitternear and resistance of the laws.

There are nearly four thousand local magistrates before whom these inquisitorial proceedings may be had; there are to be no limitations of their powers; they are not to be subject to the rules of evidence, nor restrained by the rights of witnesses; they may ask such questions as their discretion shall dictate, and compel answers by imprisonment; the character of the investigation and the imprisonment are determined by the discretion of the Justice.

The eloquent denunciations of a distinguished jurist apply with peculiar force to this proceeding.—'The discretion of a Judge is the law of tyrants. It is always unknown; it is different in different men; it is casual, and depends upon constitution, temper and passion. In the best, it is oftenimes caprice; in the worst, it is every vice, folly and passion to which human nature is liable.' Section 26 of this bill provides that "any person may maintain an action to recover any money paid, or the value of any services, or labor rendered or done, or the value of any services, or labor rendered or done, or the value of any services, or labor rendered or done, or the value of payment for liquor sold, contrary to the provisions of this act, by the bushand, wife, parent, child, ward, apprentice or servant of the plaintiff, and in every such action the person dry whom such money was paid. services or labor rendered or done, or property assigned or conveyed, if not a party to the action, or the husband or wife of the party, shall be a witness to any matter pertinent to such action. Any married woman may commence and maintain any such action in her own name, with or without the consent of her husband.'' Under section 29, another action may be brought by the same parties, "against any other person who shall soll any liquor contrary to, any provision of this act, to the husband, wife, parent,

section creates new rights of action, and abolishes salutary modes of proceeding, and the best principles of evidence.

It is not the due process of law required by the constitution of the State. The suits under this section, and all other suits, civil and criminal, authorized by this bill to be tried subject to the provisions of the thirty-second section, are not trials in any sense in which that term is understood by our constitution and laws.

There are other objections to the twenty-sixth and twenty-minth sections. The domestic relations are deemed sacred, not only by the laws of the land, but by the religious and moral sentiment of our people, and there are but few who, under the influence of novel ideas and theories, seek to impair these relations. The public sentiment would approve of a law which should give a right of action to the wife and chitdren of intemperate husbands and fathers, against those who should sell them intoxicating liquors, and which should subject the defendant to exemplary damages, if found guilty after a fair trial. But the lawful head of the family should not be deprived of the respect and authority due to his position until he has forfeited them by his misconduct.

Suits brought under these sections, where the father is the buyer and a temperate man, necessarily imply that he is the instigator of a dishonest prosecution on the part of his wife and children, are that he is to be made an object of contempt by them. It fackes his home a scene of strife or a place where fraud is plotted. In order to maintain suits it is not necessary to show that the father is an intemperate man, incapable of managing his affairs, or that the liquor was purchased for the purpose of drinking; he is not even guilty of an offence when he buys. It may be said the seller should not violate the

iorfeitures and actions against the alleged offender, and at the same time deprives him of the constitutional right of presumptive innocence.

The thirty-third section of the bill directs that "no person or corporation shall knowingly carry or transport any liquor from place to place within this State, or from any place without this State, to any place within this State, or from any place without this State, to any place within this State, or from any place without this State, to any place within this State, and no person shall knowingly deliver any liquor to any other person or to any corporation, for the purpose of being so carried or transported, unless the name and place of business or residence of the person to whom the same is to be conveyed, together with the words 'intoxicating liquor,' are distinctly marked on the outside package in which the same is contained."

This regulation cannot be of great importance in carrying out the object of the law; but it would, in connection with the provisions for the selsure of liquor, inflict a serious blow upon the great carrying and commercial interests of the State of New York.

As there would always be a liability on the part of the citizens of other States to overlook or neglect these police regulations, they would create constant embarrassment to our domestic commerce. The law recognizes the legality and propriety of manufacturing, transporting and using intoxicating liquors. But if it subjects them to penalties and forfeiture upon light proof, or for imputed offences, which are proved by the mere fact that they are found in vessels or store houses, with liquors illegally held, it will divert from our canals, our railroads and our cities, not only this particular commerce, but all that is connected with it.

The citizens of other States will not separate their diversified productions when they send them to or obtain them from the markets of the cast. If we drive off a portion of their commerce, their convenience and interest will be promoted by withdrawing the

seeking other channels which are free from embarrassments.

The idea prevades the law that unusual, numerous,
and severe penalties will lead to its enforcement; but all
experience shows that the undue severity of laws defeats
their execution. After the excitement which enacted
them has passed away, no one feels sisposed to enforce
them; for no law can be sustained which goes beyond
public feeling and sentiment.

I have omitted any notice of many defective provisions in the bill, as they might be corrected by future
legislation. I have confined my objections to those which
are radically wrong, which are inconsistent with the
principles of justice, with the rights of persons and of
property, and which so pervade the bill that they cannot
be stricken out without destroying its entire fabric.

The bill is wrong, because it directs unreasonable
searches of the premises and dwellings of our citizens
under circumstances calculated to provoke resistance.
It deprives persons of their property in a manner prohibited by the constitution; it subjects them on mere
suspicion of knowledge of a suspected crime to an inquisitorial examination.

For one act of alleged violation of law a citizen may
be proceeded against as a criminal, may be fined or imprisoned, his property seized and forfeited in civil suits
by various parties with whom he has had no dealings,
and be subjected to the payment of damages when none
have been averred or proved. To all these prosecutions
he may be subjected to the payment of damages may be
proceeded against as a criminal, may be fined or inprisoned, his property seized and forfeited in civil suits
by various parties with whom he has had no dealings,
and be subjected to the payment of damages when none
have been averred or proved. To all these prosecutions
he may be subjected, without the benefit of trial in the
usual and judicial meaning of that term.

The constitution makes it my day to point out the objectionable features of this bill; but I owe it to the subjectionable features of

in the manufacture, sale, or use of intexicating liquors: it can do no more.

The experience of all nations in all periods, demonstrates that temperance, like other virtues, is not produced by the law makers, but by the influence of education, merality, and religion.

While a conscientious discharge of duty and a belief that explicit language is due to the friends of this bill, require me to state my objections to the measure in decided terms, it must not be understood that I am indifferent to the evils of intemperance, or wanting in respect and sympathy for those who are engaged in their suppression. I regard intemperance as a fruitful source of standard and misery. I look with no favor upon the light and practices which have produced the crime and fring which are constantly forced upon my attention to painful discharge of official duties. After long and causest reflection, I am satisfied reliance cannot be placed

upon promines.

be persuaded—they cannot be compelled—to haveof temperance.

I concur with many of the earnest and devoted friends
of temperance, in the opinion that it will hereafter be
cause for regret, if the interest which is now excited in
the public mind upon the subject should be diverted
from its proper channels and exhausted in attempting to
procure legislation which must be fruitless.

HORATIO SEYMOUR.

TELEGRAPHIC. The Final Defeat of the Bill.

SPECIAL CORRESPONDENCE OF THE NEW YORK HERALD. The Senate this morning proceeded with the consider tion of the bill for the suppression of intemperance.
the question being, "Shall the bill pass, notwithstanding the objections of the Governor." The vote was ayou 14, noes 13. So the bill is lost, two-thirds of the Senators

INTENSE EXCITEMENT IN THE SENATE—THE GOVERNOR'S MESSAGE—SPIRITED DEBATK—THE ASSEMBLY DESERTED—PINANCES OF TRINITY OHURCH, ETC.

present not voting in favor of it.

There were exciting times in the Senate in 1851, when the dozen Senators resigned to prevent the passage of the Canal bill. There were highly interesting scenes about the time Senator Beekman put his foot upon the aspirations of ex-Governor Fish. There were animating and interesting periods when the scenes of the secret session of 1842, even openly discussed, but neither on those oc casions produced any excitement within a hundred per cent approximating to that experienced in the Senat chamber this morning. Before the hourarrived for commencing business, large numbers of spectators had gathered in the chamber. Lieut, Gov. Church called to order, the prayer was made, the journal read, and numerous petitions presented. While standing and select committees were reporting bills, the confusion became so great and the loud talk so intolerable, that Senator Barr was compelled to rise and call the attention of the Chair to the fact that it was impossible to hear anything read at the Clerk's desk; and, rather than continue in this manner to do business, he moved to take a recess until four o'clock. Mr. Bishop also stated that it was impossible for him to hear a word, in consequence of the continual buzzing about the chamber. The Chair ordered the officers to preserve order; when, after a few moments, Mr. Barr withdrew his motion. About this time Lieutenant Governor Church called Mr. Dickinson to the chair, who in a few moments vacated it, and installed Mr. Monroe. When the Senate arrived at the order of business, (for announcing messages from the Governor,)
Mr. Monroe announced one from the Executive Chamber The Clerk commenced reading, and it was immediately the Maine Liquor bill. By this time the news had sprea

in every direction, and the Senate chamber soon became

crowled to its utmost limit with anxious spectators, listening to the Governor's reasons for withholding his signature. The document was quite lengthy, and occupied the Clerk three-quarters of an hour in reading it. The crowded audience, though jammed closer than in a mass meeting, listened throughout with silent attention, and every one caught eagerly every word as uttered from the lips of the Clerk.

The moment the message was received, Mr. Bishop and Mr. Z. Clark both rose simultaneously, the former to offer a resolution that the Senate' do now proceed to reconsider the Temperance bill, notwithstanding the veto from the Governor—the latter, that the subject be laid on the table, and the message be printed. Mr. Bishop's motion being entertained by the chair, (Mr. Monroe,) Mr. Z. Clark moved to lay it on the table. Here a spirited and somewhat excited discussion ensued, Mr. B. contending that it became necessary, in conforming with the provisions of the constitution, that the Senate should proceed to reconsider its action upon the Temperance bill. Mr. Spencer supported the motion made by Mr. Clark. Mr. Brooks inquired—are we not now required to proceed to reconsider the vote last given on the bill? How can the matter be disposed of, if the Senate can say that on some future day we shall proceed to reconsider? This body must proceed now as the constitution provides.

Mr. Brusinson moved to lay the whole subject on the

Mr. Dickinson moved to lay the whole subject on the table.

Mr. CROSEN thought if the Senate only paused for five minutes to reconsider, without concluding, the subject could be postponed to any other time the Senate may deem preper.

Mr. Z. CLARK thought it premature to enter into a discussion upon reconsidering, before the message was printed and on our tables. According to all parliamentary proceedings, it was competent to postpone the subject until we have had an opportunity to examine the document sent us.

Mr. Bussor believed that if the Senate desired to pass the bill notwithstanding the vote of the Governor, we must proceed to reconsider at once; but he was not analous to vaice upon it at present; it is however unnecessary to offer the resolution upon the coming in of the message, but a majority may say when a vote shall be taken.

Mr. HOPKINS—The Senate has already conformed to the constitution, so far as it has gone. A resolution has been effered that we proceed to reconsider, and that is a sufficient compliance.

Mr. Bradford inquired what was meant by "reconsider-

Mr. Putnam also wanted to know what was meant by Mr. BARR replied, that by it was intended to get the bill

Mr. Barr replied, that by it was intended to get the bill sgain properly before the Senate.

Mr. Crosny rose to a point of order, in that Mr. Bishop's resolution was out of order.

The Chair (Mr. Monroe), decided it to be in order.

Mr. Crosny appealed from the decision.

The Chair repeated his decision, and fortified his position by referring to precedents.

Here the constitutional points were elaborately discussed by Messrs. Crosny. Hornans, Bishop, Putnam, and others; and there appeared much difficulty in ascertaining whether "reconsider," as placed in the constitution, meant voting or discussion.

Mr. Buckinson here moved to lay the question on the appeal on the table.

Mr. HOPHINS—What will be the effect?

The Chair, answering, said it would have the effect of laying the whole subject on the table.

Mr. W. Clark—And the subject can never be called up again.

again.
The question was then taken, and Mr. Dickinson's mo The question was then taken, and Mr. Dickinson's motion was carried:—
Aver-Messrs. Barr. Bradford, Brooks, Butts, M. H. Clark, 2. Clark, Dickinson, Borrance, Field, Hitchcock, Hopkins, Pratt. Putnam, Robertson, Sherrill, Spencer, Storing, Walker, Watkins, Yost—20.
Nays-Barnard, Biskop, W. Clark, Crosby, Danforth, Butchins, Richards, Whitney—8.
Mr. Barr moved a reconsideration of this vote.
Mr. Barr moved a reconsideration on the table, and called for the ayes and noes.
Mr. Romerson moved to adjourn—lost 10 to 18.
The Chair then stated that Mr. Barr's motion was in order but not debatable, and Mr. Brook's motion not in order.

Mr. BROOKS appealed from this decision—subsequently

Mr. BROOKS appeared river the withdrawn.
Several Senators desired to speak, but the Chair again info med them that debate was out of order.

Mr. Dickinsox—I want to say one word; and he continued for five minutes, during which time he stated that he person who had been all winter more anxious than any one clse for the passege of the temperance bill, was the chief constitutional adviser of his Excellency in vaccine it.

the chief constitutional adviser of his Excellency in vetoing it.

Though no name was mentioned the audience well inter the allusion was made to Edward C. Delavan, who was the first person who carried the news out of the executive chamber yesterday, that a veto would take place. Mr. Roberston again moved to adjourn.

Mr. Croser said the motion could not be entertained, as a motion of that kind had just been lost.

The Chark decided the motion is order, when the Smate, at one o'clock, agreed to adjourn, by the following yet:—

The Chark decided the motion in order, when the Senate, at one o'clock, agreed to adjourn, by the following vote:

Ayer—Mesers, Bishop, Bradferd, Butts, Z. Clark, Dickinsen, Torrance, Field, Bitchcock, Hopkins, Hutchins, Landing, Pratt, Putram, Robertson, Sherrill, Walker, Whitney, Yost—Ir.

Nays—Mesers, Barnard, Barr, Bracks, M. H. Clark, W. Clark, Cresby, Banforth, Monroe, Richards, Spencer, Storing, Watkins—12.

The members deserted the House during the excitement in the Senate to such an extent, that Mr. Peters thought proper to move a call of the House, which was seconded, and the doors were closed, spectators turned out, and the Sergeant-at-Arms despatched to the Senate Chamber, Congress Hall, and other places, in search of absentees. An hour's time thus consumed when business was resumed.

A communication was received from the vestry, church wardens and vestrymen of Trinity Church, in answer to a resolution of the Assembly, asking for a detailed statement of the number of lots of land, where situated, it under lease, when the leases expire, annual rents, and income of all their property, and also the amount of debt towing by such vestry, and when such debt is payable. The document is quite lengthy, occupying twenty-eight manuscript pages. I gather from it—

Debt or Lieblities Ausead by Trinity Church.

32,903

Liabilities opened.

141,675

Total. \$572.488
The item of \$141.675 is the amount presented towards the erection of churches in various parts of the State. The gross annual income of the parish is \$80,967 70; annual interest on debts, \$55,562—leaving a net income of \$46,405.

Proc. Lispenard lease 177.56
Pewrents 3,683.75
Interest 12,330 10

Net annualincome.
Signed by WM. DUNSCOMB, Comptroller Certified by WM. BERRIAN, Rector.
RECHARD HAGABORN, Vestry Clerk.

NEW YORR LEGISLATURE.

ALBANY, April 1, 1854. REPORTS, ETC. Relative to the mode of keeping tax accounts in New

The Pure Milk bill, complete. The New York Juries bill, complete.

Mr. Lassing, (nat. dem.) of Jefferson, reported adverse

ly to the petition of Mesars. Bryant, Greeley and others, for counsel in the Lemmon slave case.

Mr. Hopkins, (dem.) of Washington, reported adverse

ly to the petitions of colored citizens for the extension of the right of suffrage. Agreed to, 13 to 12. Mr. Z. CLARK, (free soil) of St. Lawrence, reported a bill authorizing Albany to aid the Albany and Susquehanna Railroad.

THE TEMPERANCE BILL VETO MINE Was taken up.

Mr. M. H. CLARK, (whiz) of Ontario, moved, to make the subject the special order for Tuesday. Lost—10 to 18. The CHAIR put the question: "Shall the bill pass, not-withstanding the objections of the Governor?" Lost—

The Senate then, by a vote of aves 14, navs 13, refuse to pass the bill. Here is the vote :-

Args-Mosera Bishop, Bradford, Butta, M. H. Clark, Dickinson, Dorrance, Field, Hopkins, Monroe, Putuam, Richards, Robertson, Whitney, Williams-14, Nava-Mesera Barnard, Barr, Brooks, Crosby, Danforth, Hichocok, Huchbins, Lansing, Fratt, Storing, Sponcor, Watkins, Yost-13.

Mr. M. H. CLARK moved to reconsider that vote, and to lay that motion on the table. The Chair decided the mo-

tion out of order.
Mr. CLARK appealed; but the Senate sustained the Chair, 17 to 7. and refused to reconsider.
Mr. M. H. CLARK now moved the reconsideration of the vote on the final passage of the bill. Lost—ayes 10, noes 15. as follows:

Ayrs—Mesors. Barr. Bishop, Bradfor!. Butts. M. H. Clark, Hutchins, Munroe, Richards, Robertson, Williams—10.

10.

Nors-Messrs. Barnard, Brooks, Crosby, Danforth, Dicks inson, Field, Hitchcock, Lansing, Pratt. Putnam, Spencer, Storing, Watkins, Whitney, York-15.

NOTICS OF A NEW BILL.

Mr. WILLIAMS gave notice of a bill to am and the revised statutes in relation to licensing the sale of intoxicating liquous. liquors.

Mr. Williams, (whig) of Tompkins, gave notice of a bill to amend the Revised Statutes relative to licenses.

Fixed Salaries for the lieut. Governor and Canal Appearser.

Mr. Danforth (nat. dem.) of Schobarie, introduced bills to fix the salaries of the Lieut. Governor and Canal Appraiser.

Long Bland Ballroad.

Mr. Hutchins, (nat. dem.) of Kings, presented a remonstrance from Brocklyn against the Long Island Railroad.

road.

DESIROUS OF RECORDING HIS YOTE.

Mr. Z. CLARK asked consent to have his vote on the question, shall the Temperance bill pass, not sithstanding the objections of the Governor. He desired to vote "no."
Several objected, on the ground that the constitution provided that only those should vote who were present. The bill in relation to the Court of Common Pleas in the city of New York was read a third time, and then laid on the table.

To amend the Revised Statutes in relation to proceedings for the perpetuation of testimony.

To amend the charter of the Crystal Palace Association.

To authorize other persons than overseers of the poor to prosecute for violations of the Excise law.

To authorize other persons than overseers of the poor to prosecute for violations of the Excise law.

THE HEMPERANCE BILL AGAIN—INTRESEARING DERATE.

Mr. Bishor moved to recommit the bill, and alluded to the inconsistencies of the veto message. It was a misstatement of the law, where the law was pretended to be quoted. It was a contradiction throughout. He withdrew his motion.

Mr. Crossy had no doubt if the bill passed it would increase litigation in the community—fill the pockets of the lawyers alone. It would be a rich harvest for that class. He was opposed to the bill.

Mr. Dickinson hoped the bill would pass.

Mr. Richars' objection to the present laws was that they were unequal. The argument of the opponents of a prohibitory law had been that we had laws enough—it was only necessary that they be enforced. He was not surprised at the inconsistency of the opponents of the prohibitory law manifesting itself on the bill.

Mr. Williams had paid but little attention to this bill, in consequence of the general desire to pass a prohibitory law intended to do away with this entire system. He hoped, instead of passing this bill regulating the traffic, we should yet strike at the very root of the evil. He regarded it as granting special charters to engage in the liquot traffic, and then pass little petty general laws to egulate this matter. His object in giving notice of a ill to-day was to repeat this special charter system. He referred that the bill be laid aside:

Mr. Disproxim stated that the voic was taken on the uestion sustaining the vete of the Governor without discussion, because a number of members desired to leave at noon. He regretted that the Governor had placed himself against prohibitory laws altogether. He regretted, as a friend of temperance, that this question must so down to the next canvass. He regretted that

places nimser against prombitory laws altogether. He regretted, as a friend of temperance, that this question must go down to the next canvass. He regretted that the men who stood at the head of the temperance troops in this State had—not in so many words, but in effect—sustained the veto; had prepared a feather bed for the veto to sleep in. The hand upon the dial of temperance had gone back at least twenty years. Although late in the session, he hoped some act would be passed to put this traffic out of existence. He doubted the efficacy of this bill.

this traile out of existence. He doubted the efficacy of this bill.

Mr. Dickinson remarked that the Senator from the Seventeenth, as a partizan, ought to have known that the would be vetoed.

Mr. Danforth had no doubt of it was the first.

Mr. Dickinson had seen the men who brought about this veto. Prince John Van Buren was here as he was when the twelve Senators resigned. The scheme was concected at Washington by the Lecretary of State. Horatio Seymour was to be the candidate for Governor, and if defeated would have a call across the Atlantic. But he would be so badly beaten that it would require affidavits from all parts of the State to prove that he was a candidate. The power of the adamantines would be sufficient to call in the men who stood by the rights of the country—who had some respect for the morals of the community and the rising generation. The Governor was so effectually killed that no galvanic battery could revive him.

Mr. Pratt, as he understood this debate, it amounted to a pest mortem examination of the prohibitory law which had been killed this morning. He thought the bill would have an unequal and unfavorable effect, and he would prefer trying to enforce our present laws a little farther.

Mr. Stracur believed it an honest vote. He could not

he would prefer trying to enforce our present laws a lit-tle farther.

Mr. Spencer believed it an honest vote. He could not understand why the Senator from the Twenty-sixth de-sired to mix this matter up with politics—nor could he understand why party tactics had been brought to bear to postpone the law going into effect until December. Mr. Dickinson—It was but just to those who were en-gaged in the business that time should be given to close up this business.

Mr. Dickinson—It was but just to those who were engaged in the business that time should be given to close up this business.

Mr. Hopkins said allusion had been made to one of his constituents—Mr. Delavan.

Mr. Dickinson—Does he live in Sandy Hill, where they have stated preaching?

Mr. Hopkins—No, sir; but if the Senator will introduce a bill to change his place of residence, I will for it. Eut. sir, after this bill has gone to the Governor, who was consulted in regard to it? Edward C. Delevan. Who was consulted in regard to it? Edward C. Delevan. Who first saw the message? Edward C. Delevan. Who first saw the message? Edward C. Delevan. Who first saw the message? Idward C. Delevan. Who first saw the message? Edward C. Delevan. He thought that in this course Mr. Delevan had forfeited his claims as the leader of the temperance men in this State. This apostle of temperance deserved the reprobation of every man in this community for coming out and paving the way for the Governor's veto; after working for the bill all winter-With what propriety did this man appear before the people of this State. To have temperance men desert us before even the Governor had sent in his veto, was an insult to the temperance men of the State. He thought the Maice law had suffered more at the hands of its friends than its enemier, a resolution ought to be offered to return to Edward C. Delevan the diploma he had presented the Senate. He hoved it would be offered.

Mr. Bare was about offering one thanking him for the veto.

Mr. Malifanson thought the friends of temperance

horsed it would be offered.

Mr. Bark was about offering one thanking him for the veto.

Mr. Williamson thought the friends of temperance should not be disheartened by these reverses. We had acted wisely, discreetly, in his judgment in fixing upon the day the prohibitory law was to take effect. That having been lost, we should take courage. He did not believe the gentleman who had been alluded to affirmed of the course of the Governor, or that he couraged such a course. Still, take courage from adversity, and pass a bill to strike at the root of the evil, although the Governor might stand in the way.

Mr. Crossy was surprised to see these dissensions in the ranks of those who had so long stood shoulder to shoulder, or that they should attack one of their prime movers. He liked to see consistency in this matter. He believed the Governor would be sustained by the community in his action, not politically, for he had not the shadow of a party hanging at his heels. He awarded him consistency in this matter. Who but Mr. Dolavan desired to know what the action of the Governor would be 1 and who would be the first man to publish that decision to the world?

Mr. Panyonen had not noticed any disagreement on the part of the temperance men here. The friends of temperance desired to strike out entire sections of this bill, but the pressure from the outside was too strong for it, and hence the veto.

Mr. Z. Clark favored the passage of the bill before us. He know the excise law in its present shape could not be carried out. He insisted that the Senator from the Twenty-sixth, (Mr. Dickinson,) had not nerve enough to act upon a question. He believed the Senator from the Fitteenth (Mr. Z. Clark) had not nerve enough to act upon a question. He believed the Senator from the Fitteenth (Mr. Z. Clark) had not nerve enough to be present to vote on the vet omessage.

Mr. Z. Clark had not nerve enough to be present to vote on the vet omessage.

Mr. Z. CLARK-I asked consent to record my vote, but

it was refused.

Mr. Dickinson continued—By adopting December we designed to keep the question out of politics—out of the next election.

Mr. PUTKAM: The bill had been december the cause

had not been stated. Whether it was Mr. Deiavan, be was not prepared to say. What had been the course of the peculiar friends of the bill in both Houses? It was to force down provisions exceptionable, without assemble the force down provisions exceptionable, without assemble the force down provisions exceptionable, without assemble the force of temperance that they must listen to moderate mental tree manual give some heed to their counsels. The bill had been carried through by illiberality. When the been carried through by illiberality. When the been passed this body first, the moderate men were berated in the lobbies, and in the public press by families. The carried through the measure might charge upon the excess, can up from the House amended, and was the power of the Governor to make appointments during the recess, came up from the House amended, and was concurred in. This bill is to prevent the Governor from filling certain offices that will become vacant after the adjournment of the Legishture.

Mr. Spences moved that 10,000 copies of the Governor's veto message be printed.

Mr. M. H. Clark moved to lay the motion on the table. Agreed to.

Adjourned to 11 A. M. on Monday.

Agreed to.
Adjourned to 11 A. M. on Monday.

Assomably.
ALBANY, April 1, 1864.

BILLS PARSED.

The bill to incorporate the Tract Society of New York, (Methodist Episcopal.) was passed.

To allow Brooklyn to raise money for an armory.

To incorporate the Tract Society of the Methodist Episcopal Church.

To amend the Revised Statutes in relation to the appointments to office by the Governor.

For the better regulation of the firemen of the city of New York.

Relative to the salary of the Police Justices of the city of Albany.

BILL CORMITTED.

The bill creating a State paper was committed to a select committee.

Mr. McGraw moved that on and after Toesday next, the House will meet at 9 A. M., and hold, also, afternoon and evening sessions. Agreed.

NTATE PAPER.

When the bill to designate a State paper come up for a third reading.

When the bill to designate a State paper come up for a third reading.

Mr. ANGE moved to recommit the bill so as to strike out the clause providing fees, insisting that the printing should be done as cheaply as it is now done.

Mr. D. P. Woon thought the bill, as amended, just right. He believed that all who worked for the State should be paid.

Mr. CLINTON believed the bill should be recommitted. Lost, and the bill was then passed, 66 to 30.

DEPICIENTEY APPROPRIATION BILL.

Making appropriations to provide for deficiencies existing in appropriations for the present fiscal year, to meet claims and demands against the Treasury, on account of the canals. Passed.

Adjourned to Monday morning.

NEWS BY TELEGRAPH: The Latest from Washington. THE BLACK WARRIOR AFFAIR-THE GADSDEN TREATY-THE CUTTING AND BRECKENRIDGE DIFFICULTY, ETC.

WASHINGTON, April 1, 1854. We understand that government has received despatches from Havana which are calculated to embarrass and complicate the settlement of our Cuba troubles. British emissaries are suspected of having instigated the Black Warrior affair, under cover of the British and French protectorate.

There is a prospect, indeed, that it will be rejected, net-withstanding the puffing and blowing of the lobby.

It is understood that the late pending duel hung fire on the challenge. Mr. Cutting's first note to Mr. Breckenridge, demanding a retraction, involved also a chal-lenge. Breckenridge declined to retract, but, overlooking the challenge, did not signify his acceptance. In the controversy which followed, Cutting claimed the right of the challenged party, and named pistois as his wearpons. Breckenridge, insisting that his right was not superseded, selected the rifle. This was the great diffculty; but at length mutual retractions were secured placed the correspondence at the discretion of the other side, and we presume it will be published. Rumor says Breckenridge has the advantage in the settlement; but this cannot be, for it would reflect dishonor upon the

other party in thus overreaching his adversary by diplemacy. Let the correspondence be published.

Since writing the above we learn that Mr. Breckenridge has authorized the publication of the terms on which the

difficulty was settled, and they will appear soon. The amount of public debt redeemed during the past week was \$312,800. The amount in the Treasury on the first of Auril, subject to draft, was \$28,746,702 78. The jury in the Schaumburgh case are still out, with

From the South.
THE REVENUE CUTTER CAMPBELL—PORTSMOUTH, VA MAYORALTY.

BALTIMORS, April 1, 1854. We have no mail south of Washington. The revenue cutter Campbell has arrived at Norfoli from her winter cruise, having sailed over three thousand

in distress, and saved four lives. Hezekinh Stokes was to-day elected Mayor of Ports

PHILADELPHIA, April 1, 1854.
The steamer City of Richmond, which left here this

merning, was compelled to return this afternoon in consequence of some damage to her machinery. She was taken for the City of Glasgow, and so announced from Newcastle. Three Lives Lost from Exposure.

A boat containing three dead men was found on the

lake shore, eight miles west of Michigan City. They are supposed to have been fishermen from Milwaukie, and died from exposure. Conviction of a Murderer.

The jury in the case of Conolly Brothers, on trial for

the murder of Guiner at the late Irish riot, have brought in a verdict of guilty of murder in the second degree. The Weather in the West. Cincinnari, April 1, 1854.
The weather here is very cold, and it is now snowin

Another Probable Homicide in New Orders, Love and Venerace—St. Charles street was yestering thrown into a high state of excitement by an attempt on the part of a woman to kill a man in the billiard rooms of the St. Charles Hotel. And, indeed, the attempt was but too near successful. John Hitselburger, the victim, was the game keeper of the billiard rooms, and had charge of the apartments by night and by day. Occasically a viri named Beidget Guinn had been employed after the rooms were closed at night, to scrub and clean them, and generally the game keeper remained in the room to look after his queees and balls. During these midnight scrubbings it is said that John made very improper advances to Brigget, and, indeed, went so far as to encompass her ruin by triumphing over her virtue. When Mrs. Bridget Murphy, the mother of Brigget Quinn, learned how matters stood, her ire became uncontrollable, and summoning her daughter to her side, she regaired, aimed with a hure and keen-edged knife, to the billiard room. In search of John. It was shortly after midday when the two arrived, and every table was surreunded by anxious players. Even John had a queue in his hands, and was clorying over the fact that he had just made a run of thirty, which he concluded by pocketing both jof the dark bails, and thereby terminating the game in his favor. The younger Bridget sent for the gay snight of the queue, and stood apart with him for a time in earnest conversation. What that conversation was we could not learn; yet, certain it is, that before it ended the elder Bridget approached, whispered something hisaingly into the ear of Hitselburger, and then plunged the knife. (which she had hitherto concealed beneath her mantle, thrice into his body. The daughter, when she saw what her mother had done, seized her with frantic grasp in order to prevent her from again using her knife. In the meantime Hitselburger staggered and fell, and was eventually conveyed to the Charity Hospital, where but small hopes of his recovery are entertained. ANOTHER PRODABLE HOMICIDE IN NEW OR

First District Court.

Before Hon. Justice Green.

LANDEORD AND TENANT.

ATRIL 1.—Jacob L. Buldsein against Summe! Spencer and others.—This was a summary proceeding to obtain passession of premises 119 Chambers street, let to the defendant Spencer at a rent of \$1,000 a year, and on which it was alleged that there was due to him \$777 78. Spencer did not appear, but the under tenants, who are also included as defendants, came forward and set up in their affidavits that they only owed their immediate landlord, (Spencer.) \$150. They did not, however, deny the allegations contained in the plaintiff's affidavit. The Court held that the under tenants; in order to reiain possession, were bound to pay the head landlord. Judgment for plaintiff.

Some three or four of the Gloucester halibut daherme who have now been absent several weeks, it is fear foundered in the late severe gales.